

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

Scheduled Time: 1:30
Reset Time: :
Starting Time: 1:45
Ending Time: 2:05

MINUTES OF PROCEEDINGS

HONORABLE JUAN M. PEREZ-GIMENEZ

COURTROOM DEPUTY: Brenda GONZALEZ

DATE: August 18, 2005

COURT REPORTER: Joyce DEL VALLE

CR. NO: 00-043-44(PG)

COURT INTERPRETER: Annie FLORES

PO: Damaris TELLADO

UNITED STATES OF AMERICA

Attorneys: AUSA Dina Avila-Jimenez

vs.

ROBERTO LUIS MATTEI-PEREZ

Juan Matos de Juan, AFPD

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The defendant is present in court. He is X under custody released.

CASE CALLED FOR FINAL REVOCATION HEARING of supervised release. After having heard both parties in this case, the Court finds that the offender violated the conditions of his supervision term as cited on motions filed by United States Probation Officer on November 5, 2004 and April 27, 2005. Thus, the supervised release term imposed on November 7, 2003, is hereby revoked.

The Court is aware that the Chapter Seven (7) Policy Statements of the Sentencing Guidelines regarding revocation of supervised release are advisory. The guideline imprisonment range upon revocation of supervised release will be considered. The Provisions of Section 7B1.1, Classifications of Violations, established that the violation incurred by Mr. Mattei-Perez were Grade C. Section 7B1.4(a) mandates that the Criminal History Category originally determined at the time of sentencing be applied when establishing the new imprisonment range at the revocation proceedings. When this

Page 2

defendant was originally sentenced his Criminal History Category was determined to be II. Based on a Grade C violation and a Criminal History Category of II, the new guideline imprisonment range is from 4 to 10 months.

As this defendant has failed to comply with his conditions of supervised release by utilizing illegal drugs and abandoning the Court ordered substance abuse treatment, a sentence at the top of the guideline imprisonment range will be imposed.

IT IS THE JUDGMENT OF THE COURT as to violation(s) in Mandatory Condition #4 and Grade C violation.

Imprisonment for a total term of 10 months

Supervised release for a total term of One (1) year

Fine: None Special Monetary Assessment: None Restitution: None

All terms and conditions are specified in the judgment form.

The defendant is advised of his/her right to appeal, etc.

 Any remaining counts as to this defendant are ordered dismissed.

 Voluntary surrender is requested. It is granted denied

X Defendant is remanded to the custody of the U.S. Marshal.

Recommendations:

s/ Brenda Gonzalez

Brenda GONZALEZ
Courtroom Deputy Clerk